

**FILED**

1-26-05

**UNITED STATES DISTRICT COURT**

**RECEIVED**  
JAN 24 2005

for

**EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

W. EARL BRITT  
U.S. DISTRICT JUDGE

**U.S.A. vs. Phillip L Jones**

**Docket No. 5:98-CR-171-2BR**

**Petition for Action on Supervised Release**

COMES NOW James L. Corpening, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Phillip L Jones, who, upon an earlier plea of guilty to 18 U.S.C. § 371, Conspiracy to Commit Armed Bank Robbery, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, sitting in the court at Raleigh, North Carolina on April 9, 1999, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall pay a special assessment in the amount of \$100.00, and restitution in the amount of \$4,989.00.

Phillip L Jones was released from custody on November 22, 2002, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On October 30, 2004, and November 21, 2004, Mr. Jones was charged with Driving While License Revoked. He failed to report being charged for either offense within seventy-two hours, as required. The charges are pending disposition in Wake County District Court.

Mr. Jones has a desire to attend barber school. He paid the initial down payment, and financed the balance of his schooling (verified) which permitted him to begin classes on January 18, 2005. At this juncture, we recommend holding the driving violations in abeyance until they are

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satisfied in state court. However, as an effort to closely monitor his driving, we recommend placing Mr. Jones in a halfway house. There, he will not be permitted to have a motor vehicle without being properly licensed by the North Carolina Department of Motor Vehicles. Mr. Jones agrees to the proposed modification, and has signed a Waiver of Hearing acknowledging same.

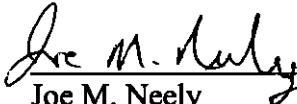
**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:


1. The defendant shall undergo placement in a community corrections center for a period of 90 days as arranged by the probation office and shall abide by the conditions of that program during said placement.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

  
Joe M. Neely  
Supervising U.S. Probation Officer

  
James L. Corpening, Jr.  
Senior U.S. Probation Officer  
310 New Bern Ave., Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8666  
Executed On: January 20, 2005

**ORDER OF COURT**

Considered and ordered this 21<sup>st</sup> day of January, 2005, and ordered filed and made a part of the records in the above case.

  
W. Earl Britt  
Senior U.S. District Judge